

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. MJ 11-276
10 v.)
11 TYRONE HARRIS,) DETENTION ORDER
12 Defendant.)

14 Offense charged: Felon in Possession of a Firearm, Possession of a Firearm in Furtherance
15 of a Drug Trafficking Crime, Possession of Oxycodone with Intent to Distribute

16 | Date of Detention Hearing: July 20, 2011.

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably
20 assure the appearance of defendant as required and the safety of other persons and the
21 community.

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01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 1. Defendant has been charged with a drug offense, the maximum penalty of which
03 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
04 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

05 2. Defendant has a lengthy criminal history which includes previous violations of
06 court orders, an active warrant for failure to appear in court from Kirkland Municipal Court,
07 and a failure to appear for a violation hearing. In addition, the instant charge was allegedly
08 committed while defendant was released on bond pending trial on drug and firearm charges in
09 state court.

10 3. There is some contradictory information about defendant's residential history
11 and other background information, including mental health and substance abuse information.

12 4. Taken as a whole, the record does not effectively rebut the presumption that no
13 condition or combination of conditions will reasonably assure the appearance of the defendant
14 as required and the safety of the community.

15 It is therefore ORDERED:

- 16 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
17 General for confinement in a correction facility separate, to the extent practicable, from
18 persons awaiting or serving sentences or being held in custody pending appeal;
- 19 2. Defendant shall be afforded reasonable opportunity for private consultation with
20 counsel;
- 21 3. On order of the United States or on request of an attorney for the Government, the
22 person in charge of the corrections facility in which defendant is confined shall deliver

the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 20th day of July, 2011.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge